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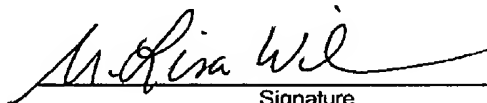
Re: U.S. Patent Application No. 10/057,409 filed 01/23/2002
Title: Localized Myocardial Injection Method for Treating Ischemic Myocardium
First Inventor: Maria Palasis
Examiner: Ram R. Shukla Group Art Unit: 1632
Attorney Docket No.: 104914-132

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PATENT
Docket No. 104914.132 US2

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Applicant: Palasis

Serial No.: 10/057,409

Filing Date: January 23, 2002

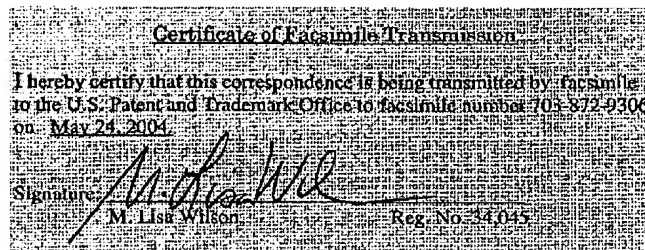
For: Localized Myocardial Injection
Method for Treating Ischemic Myocardium

Group Art Unit: 1632

Examiner: Shukla, Ram R.

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

RESPONSE

In response to the Communication mailed May 18, 2004, indicating that Applicant's Response and Preliminary Amendment, filed February 23, 2004 ("Response") was not fully responsive to the restriction requirement and further requesting Applicant additionally elect a species for prosecution, Applicant hereby provisionally elects, with traverse, the species (1) for Claims 5, 7, 25, 42 and 44 to be VEGF; (2) for Claim 27 to be VEGF; (3) for Claims 30 and 32 to be the cTNC promoter; and (4) for Claims 13 and 50 to be stem cells

REMARKS

The Office Action of December 22, 2003 ("Action"), set forth a five-way restriction requirement. The Examiner indicated the claims of Group I linked the inventions of Groups I-V. In this regard, the subject matter of Group I is directed to a method of delivering a therapeutic agent into an ischemic heart at a specific location, namely by intramyocardial delivery of the